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STATE OF NEW YORK

OFFICE OF THE ATTORNEY GENERAL

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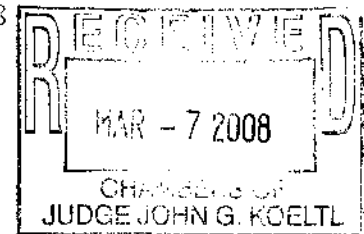
(212) 416-6295

U.S.D. 5.

3/7/08

March 5, 2008

Honorable John G. Koeltl
United State Courthouse
Southern District of New York
500 Pearl Street, Rm. 1030
New York, New York 10007

Re: Samuel Davis v. Rhoomes, et al. / 07 Cv. 6592 (JGK)

Dear Judge Koeltl:

I represent defendants Diane Van Buren, Robert Jones, Lieutenant Faliski, Sergeant Degnan, and Correction Officers Rhoomes and Andino, the defendants named in the original complaint, in this matter. Upon information and belief, new defendants Jacobsen, Kornies and Niles, who are named in the amended complaint, have not yet been served with the summons and amended complaint and have not yet requested representation from this Office pursuant to New York State Public Officers Law § 17. If and when they are served, they will join in this request for an extension.

I write to request an extension of time by which these defendants must move or answer with respect to the amended complaint from March 13, 2008 to April 17, 2008. This is defendants' first request for an extension of time. Plaintiff pro se has not been contacted for his consent as he is presently incarcerated.

At this time, defendants believe that a motion to dismiss may be appropriate as to several of the defendants. Accordingly, in light of the fact that defendants will be moving to dismiss, defendants request a stay of discovery pending a decision on the motion.

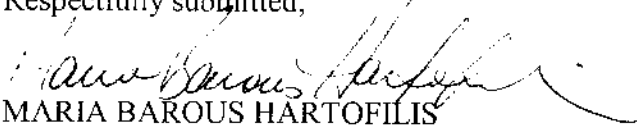
An extension of time is necessary due to the voluminous nature of the amended complaint (77 page amended complaint containing 208 paragraphs and exhibits numbered A through Z) and in order to obtain the necessary files and documents, investigate the facts, research applicable law and draft responsive papers. The additional time may also allow for the remaining defendants to be served and request representation so that a joint motion or answer may be filed on their behalf.

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Wherefore, it is respectfully requested that defendants' time to move or answer with respect to the amended complaint be extended to April 17, 2008 and that all discovery be stayed pending a decision on the motion.

Respectfully submitted,


MARIA BAROUS HARTOFILIS
Assistant Attorney General

cc: Samuel Davis
Plaintiff - Pro Se
By first class mail